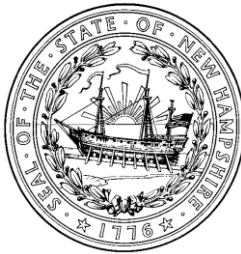


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## New Hampshire Board of Medicine

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# NEWSLETTER

News Editor: Penny Taylor, Administrator

**AUGUST, 2008**

### **BOARD NEWS:**

The Board would like to welcome the following new members: Catherine F. Pipas, M.D. replacing Bruce J. Friedman, M.D. Dr. Pipas is board certified in family medicine practicing at Dartmouth-Hitchcock Medical Center in Lebanon. Robert M. Vidaver, M.D., who, pursuant to RSA 329:2, I, is serving as the designee for the commissioner of the Department of Health & Human Services. Dr. Vidaver recently retired from the NH State Hospital.

The Board would like to welcome the following new members to the Medical Review Subcommittee: Malcolm W. Mackenzie, M.D. replacing Diane Arsenault, M.D. Dr. Mackenzie is board certified in obstetrics and gynecology practicing at Dartmouth-Hitchcock in Keene. Teresa Ponn, M.D. replacing Nick Perencevich, M.D. Dr. Ponn is a board certified general surgeon practicing at the Elliot Breast Health Center in Manchester.

The Board would like to thank Robert Feder, M.D. who served on the Medical Review Subcommittee from February 14, 2001 until he resigned on January 22, 2008.

The Board would like to thank Diane Arsenault, M.D. who served on the Medical Review Subcommittee from April 20, 2005 until April 23, 2008.

The Board would like to thank Nick Perencevich, M.D. who served on the Medical Review Subcommittee from February 20, 2002 until May 7, 2008.

The Board would like to thank Kevin R. Costin, P.A. who served on the Board of Medicine from April 21, 1998 through June 4, 2008. Mr. Costin was the first physician assistant to serve as Board President in New Hampshire and only second in the United States. He served as President from January 3, 2007 through June 4, 2008. Mr. Costin also served as Chair of the Medical Review Subcommittee from February 11, 2004 through January 6, 2006.

### **PHYSICIAN ASSISTANT ADVISORY COMMITTEE:**

Please be advised that effective July 11, 2008, a law was passed which disbands the Physician Assistant Advisory Committee. The Board and the legislature feel that since there is physician assistant representation on the Board of Medicine, there is no need for a Physician Assistant Advisory Committee.

## **2008 Performance Audit on the Board of Medicine**

The Board would like to direct you to the Performance Audit Report dated April, 2008. You can obtain a copy of the report at the Office of Legislative Budget Assistant's website at [http://www.gencourt.state.nh.us/lba/PerformanceReports/BOM\\_2008p.html](http://www.gencourt.state.nh.us/lba/PerformanceReports/BOM_2008p.html). Click on Read the [full report](#) in Adobe .PDF format.

In the full audit report, you can find the Board's responses to the Performance Audit. At the time of our response to the audit, the Board didn't have the information to rebut the finding of 21% of cases not investigated. Our review indicates that, during the audit period, less than 1% of the cases were not investigated. The Board's practice is to investigate all cases. You can obtain a copy of the Board's additional response to the Director of Audit, Office of Legislative Budget Assistant, dated June 4, 2008 at <http://www.nh.gov/medicine> under "Quick Links." Progress reports will also be posted in the future.

### **FROM THE HEARING CARE PROVIDERS BOARD:**

The Hearing Care Providers Board needs an Otolaryngologist to serve on their Board. Currently, there are 9 meetings a year. The meeting date and time are flexible by consensus of members of the Board.

If you are interested in volunteering, please send a letter of interest to Kathy Goode, Office of the Governor, 107 North Main Street, Room 208, Concord, NH 03301-4990. If you would like more information about the Board, please contact Kayla Heron, the Administrator of the Hearing Care Providers Board at (603) 433-7512.

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Pursuant to RSA 329:18, VIII, the Board is required to investigate ALL consumer complaints. A total of 178 consumer complaints, writs from the Courts, malpractice claims and complaints from other sources were received between January 1, 2008 and June 30, 2008. The Board has issued 47 confidential letters of concern, pursuant to RSA 329:17, VII-a, during that time frame. These letters advise the licensee that while there is insufficient evidence to support disciplinary action, the Board believes the physician should modify or eliminate certain practices, and that continuation of the activities which led to the information being submitted to the Board may result in action against the licensee's license. These letters are not released to the public or any other licensing authority, except that the letters may be used as evidence in subsequent disciplinary proceedings by the Board. The remainder of these complaints, writs, malpractice claims and complaints from other sources resulted in "no further action."

The following final board actions were taken by the Board from December 1, 2007 through June 30, 2008:

**Lynn N. Carlton, M.D. – Springfield, MO**

12/12/07 - The Board of Medicine approved a Settlement Agreement for Lynn N. Carlton, M.D. The Colorado State Board of Medical Examiners issued a “letter of admonition,” which is disciplinary action in Colorado, after finding that Dr. Carlton’s radiological studies on a patient fell below generally accepted standards of practice for a radiologist. Accordingly, the New Hampshire Board has taken reciprocal action and Dr. Carlton is reprimanded.

**Vernon S. Kellogg, M.D. – Pepperell, MA**

12/12/07 - Vernon S. Kellogg, M.D. entered into a Preliminary Agreement for Practice Restrictions with the Board of Medicine. The Board of Registration in Medicine for the Commonwealth of Massachusetts issued an Order of Temporary Suspension which caused an immediate summary suspension of Dr. Kellogg’s practice of Medicine. Because of the professional misconduct allegations pending against him before the New Hampshire and Massachusetts Boards, Dr. Kellogg has agreed to adopt these practice restrictions in New Hampshire.

**Zarina G. Memon, M.D. – Arlington, MA**

12/12/07 - Zarina G. Memon, M.D. entered into a Preliminary Agreement for Practice Restrictions with the Board of Medicine. Professional misconduct allegations are now pending against Dr. Memom before the New Hampshire Board and the Board of Registration in Medicine for the Commonwealth of Massachusetts. Dr. Memom has voluntarily agreed to cease his practice of medicine in Massachusetts until the Board takes final action. Dr. Memom has agreed to adopt the same practice restrictions in New Hampshire.

**Michael A. Leone, M.D. - License #RT-364**

2/14/08 – Order Vacating the Board’s August 22, 2000 Order.

**William A. Yvorchuk, M.D. – License# 11583**

5/14/08 - The Board of Medicine approved a preliminary agreement for practice restrictions signed by William Yvorchuk, MD. On March 14, 2008, the North Dakota State Board of Medical Examiners issued an ex-parte order suspending Dr. Yvorchuk’s license. Dr. Yvorchuk voluntarily agrees not to practice medicine, not to write prescriptions, and not to treat or see patients in the State of New Hampshire until the Board authorizes him to resume the practice of medicine.

\*\* The following final board action was erroneously worded in the Winter, 2008 Newsletter. The following is the corrected language:

**Joel I. Wagman, M.D. – Amherst, NH**

02/14/07 - The Board of Medicine approved a Settlement Agreement for Joel Wagman, M.D. The Board found that Respondent made changes to a patient’s records without indicating that these changes and additions were made on a later date after the original note. He is reprimanded and assessed an administrative fine in the amount of \$1000.00.

- **All Orders are public documents and may be obtained by calling the Board office at (603) 271-1203. There is a fee of \$0.25 per page for all Orders.**